

DEC 26 2007

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JANA ALYCIA LACY-CURRY,

Plaintiff - Appellant,

v.

ALAMEDA COUNTY SOCIAL SERVICES
AGENCY; ALAMEDA COUNTY
SUPERIOR COURT; LAWANDA
MARTIN; REED SEIDEN,

Defendants - Appellees,

and

CITY OF OAKLAND,

Defendant.

No. 06-15173

D.C. No. CV-05-00453-SBA

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Saundra B. Armstrong, District Judge, Presiding

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

Submitted December 6, 2007**
San Francisco, California

Before: KOZINSKI, Chief Judge, COWEN,** and HAWKINS, Circuit Judges.

All of Lacy-Curry's instant claims relate to a series of state court child dependency proceedings, some of which have concluded and some are still pending. Insofar as state proceedings are ongoing, Younger abstention requires dismissal of this action. See H.C. ex rel. Gordon v. Koppel, 203 F.3d 610, 613 (9th Cir. 2000) (dismissing case under Younger v. Harris, 401 U.S. 37 (1971) where parents sought "wholesale federal intervention into an ongoing state domestic dispute" involving child custody). However, if state court proceedings have concluded, then the Rooker-Feldman doctrine precludes our review because Lacy-Curry is clearly a "state-court loser[] complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced," and she is "inviting district court review and rejection of those judgments." Exxon-Mobil Corp. v. Saudi Basic Ind. Corp., 544 U.S. 280, 284 (2005). Lacy-Curry has waived

** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

*** The Honorable Robert E. Cowen, Senior United States Circuit Judge for the Third Circuit, sitting by designation.

any arguments to the contrary by failing to address these issues on appeal. Officers for Justice v. Civil Serv. Comm'n, 979 F.2d 721, 726 (9th Cir. 1992).

AFFIRMED.